

WEST VALLEY CITY

RESOLUTION NO. _____

**A RESOLUTION APPROVING AN EASEMENT
ENCROACHMENT AGREEMENT THAT WILL ALLOW
COMCAST TO INSTALL, OPERATE, AND MAINTAIN TWO 2-
INCH PVC CONDUITS ON PROPERTY OWNED BY WEST
VALLEY CITY.**

WHEREAS, West Valley City owns certain real property encumbered by an easement owned by the U.S. Department of the Interior; and

WHEREAS, West Valley City and the Dept. of the Interior are willing to allow Comcast to install two 2 inch conduits on said property, the installation of the conduits may not occur without an encroachment on the easement; and

WHEREAS, the U.S. Department of the Interior agree to allow said encroachment for the installation of the conduits, however, the City, as landowner must also consent to the proposed improvements; and

WHEREAS, an agreement has been prepared for execution by and between Comcast, the City, and the U.S. Department of the Interior. This agreement, which is attached hereto and entitled "EASEMENT ENCROACHMENT AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND COMCAST OF UTAH II, INC.," sets forth the rights, duties, and obligations of each of the parties with respect thereto; and

WHEREAS, the City Council of the West Valley City hereby determines that it is in the best interests of the health, safety, and welfare of the citizens of West Valley City for the City Council to approve the attached Agreement; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the West Valley City that the "EASEMENT ENCROACHMENT AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND COMCAST OF UTAH II, INC.," is hereby approved in substantially the form attached and that the Mayor is hereby authorized to execute said Agreement for and in behalf of West Valley City, subject to approval of the final form of the Agreement by the City Manager and the City Attorney's Office.

PASSED, APPROVED and MADE EFFECTIVE this ____ day of _____, 2009.

WEST VALLEY CITY

MAYOR

ATTEST:

CITY RECORDER